

IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF ARKANSAS
HOT SPRINGS DIVISION

ZACHARLY WILLIS

PLAINTIFF

v.

Case No. 6:20-cv-6061

WARDEN DEANGELO EARL;
CORPORAL MCGRATH; WARDEN
GAYLA JACKSON; and DEPUTY
WARDEN OUTLAW

DEFENDANTS

ORDER

Before the Court is the Report and Recommendation filed August 27, 2020, by the Honorable Barry A. Bryant, United States Magistrate Judge for the Western District of Arkansas. ECF No. 6. Judge Bryant recommends that Plaintiff's official capacity claims against all Defendants be dismissed without prejudice. No party has filed objections to the Report and Recommendation, and the time to object has passed. *See* 28 U.S.C. § 636(b)(1). Upon review, the Court adopts the Report and Recommendation *in toto*. Accordingly, Plaintiff's official capacity claims against all Defendants are **DISMISSED WITHOUT PREJUDICE**. Plaintiff's claim for excessive force against Defendant McGrath in his individual capacity remains for service and further review by the magistrate judge.

IT IS SO ORDERED, this 22nd day of September, 2020.

/s/ Susan O. Hickey
Susan O. Hickey
Chief United States District Judge